IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA Richmond Division

| THOMAS SHELTON, | |
|----------------------------|------------------------------------|
| Plaintiff, v. | Civil Action No. 3:15-cv-00255-JAG |
| GREEN TREE SERVICING, LLC, | |
| Defendant. | |

<u>PLAINTIFF'S RESPONSES TO DEFENDANT GREEN TREE SERVICING, LLC'S OBJECTIONS TO PLAINTIFF'S WITNESS LIST</u>

COMES NOW, Plaintiff Thomas Shelton, by counsel, and in response to Defendant Green Tree Servicing, LLC's Objections to his Exhibit List, states as follows:

| PLAINTIFF'S WITNESSES | DEFENDANT'S | PLAINTIFF'S RESPONSE |
|-----------------------|-----------------------------------|----------------------------------|
| | OBJECTIONS | |
| 1. Thomas Shelton | No objection, other than | Defendant's objections should |
| | those set forth in Green | be overruled for the reasons |
| | Tree's motions in limine and | stated in Plaintiff's Opposition |
| | objections as to any hearsay | to Green Tree's Motion in |
| | or otherwise objectional | Limine (Dkt. No. 84) and to the |
| | testimony this witness may | extent Green Tree's other |
| | offer at trial pertaining to, for | objections speculate about his |
| | example, out of court | trial testimony, Plaintiff will |
| | statements of third parties. | address that when the objection |
| | | is properly raised at trial. |
| 2. Evan Hendricks | Objection, this witness has | Defendant's objections should |
| | not been qualified as an | be overruled for the reasons |
| | expert to testify in this case; | stated in Plaintiff's Opposition |
| | further, the issues in this case | to Green Tree's Motion in |
| | are within the province of the | Limine to Preclude Evan |
| | judge and jury, thus no expert | Hendricks (Dkt. No. 85) and to |
| | is necessary; further | the extent Green Tree's other |
| | objections to this witness | objections speculate about |
| | have been made in Green | whether he will be properly |
| | Tree's motion challenging | qualified through his testimony |
| | Plaintiff's expert designation. | at trial, Plaintiff will address |
| | | that when the objection is |
| | | properly raised at trial. |

| PL | AINTIFF'S WITNESSES | DEFENDANT'S | PLAINTIFF'S RESPONSE |
|----|--|--|--|
| | | OBJECTIONS | |
| 3. | Felicia Bolling | No objection, other than those set forth in Green Tree's motions in limine and objections as to any hearsay or otherwise objectional testimony this witness may offer at trial pertaining to, for example, out of court statements of third parties. | Defendant's objections should be overruled for the reasons stated in Plaintiff's Opposition to Green Tree's Motion in Limine (Dkt. No. 84) and to the extent Green Tree's other objections speculate about her possible trial testimony, Plaintiff will address that when the objection is properly raised at trial. |
| 4. | Letitia Shelton | No objection, other than those set forth in Green Tree's motions in limine and objections as to any hearsay or otherwise objectional testimony this witness may offer at trial pertaining to, for example, out of court statements of third parties. | Defendant's objections should be overruled for the reasons stated in Plaintiff's Opposition to Green Tree's Motion in Limine (Dkt. No. 84) and to the extent Green Tree's other objections speculate about her possible trial testimony, Plaintiff will address that when the objection is properly raised at trial. |
| 5. | Employees of Experian Information Solutions, Inc. | Objection, this entry fails to identify a witness and should, therefore, be stricken. | Plaintiff intends to use the Affidavit of Mary Methvin to the extent necessary authenticate Experian's business records and withdraws this witness. |
| 6. | Employees of Equifax Information Services, LLC | Objection, this entry fails to identify a witness and should, therefore, be stricken. | Plaintiff intends to use the Affidavit of Pamela Smith to the extent necessary authenticate Equifax's business records and withdraws this witness. |
| 7. | Employees of Trans Union, LLC | Objection, this entry fails to identify a witness and should, therefore, be stricken. | Plaintiff intends to use the Affidavit of Don Wagner to the extent necessary to authenticate Trans Union's business records and withdraws this witness. |
| 8. | Witness designated or disclosed by the Defendant | No objection. | |

Respectfully Submitted, **THOMAS SHELTON**

/s

Kristi Cahoon Kelly, VSB #72791 Andrew J. Guzzo, VSB #82170 KELLY & CRANDALL, PLC 4084 University Drive, Suite 202A Fairfax, Virginia 22030 (703) 424-7576 Telephone (703) 591-9285 Facsimile

E-mail: <u>kkelly@kellyandcrandall.com</u> E-mail: <u>aguzzo@kellyandcrandall.com</u>

Leonard A. Bennett, Esq. (VSB #37523) Susan Rotkis, Esq. (VSB #40639) CONSUMER LITIGATION ASSOCIATES, P.C. 763 J. Clyde Morris Boulevard, Suite 1-A Newport News, Virginia 23601 (757) 930-3660 Telephone (757) 930-3662 Facsimile

E-mail: lenbennett@clalegal.com E-mail: srotkis@clalegal.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December, 2015, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Constantinos G. Panagopoulos Theodore R. Flo BALLARD SPAHR LLP 1909 K Street, NW - 12th Floor Washington, DC 20006-1157 Facsimile: (202) 661-2299

flot@ballardspahr.com cgp@ballardspahr.com

Martin C. Bryce, Jr. (I.D. No. 59409) Admitted Pro Hac Vice BALLARD SPAHR LLP 1735 Market Street, 51st Floor Philadelphia, PA 19103 Telephone: (215) 864.8238

Facsimile: (215) 864.8238 Facsimile: (215) 864.8999 bryce@ballardspahr.com

Counsel for Defendant Green Tree Servicing

/s

Kristi Cahoon Kelly, VSB #72791 KELLY & CRANDALL, PLC 4084 University Drive, Suite 202A Fairfax, Virginia 22030 (703) 424-7576 Telephone (703) 591-0167 - Facsimile

E-mail: <u>kkelly@kellyandcrandall.com</u>

Counsel for Plaintiff